

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31668 of 2022

Arising Out of PS. Case No.-58 Year-2021 Thana- MAHILA P.S. District- Madhubani

SURENDRA PRASAD MANDAL @ SOHAN MANDAL S/o Late Kapileshwar Mandal Resident of Village- Rajegram, P.S.- Pandaul, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Devi W/o Surendra Prasad Mandal @ Sohan Mandal Resident of Village- Rajegram, P.S.- Pandaul, District- Madhubani, at present Soni Devi, Daughter of Manohar Mandal, Resident of Village- Meghauli, P.S.- Pandaul, District- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Shubham, Advocate
For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-12-2022 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 341, 498A, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner, at the outset, submits that he is still ready and willing to keep the informant and the children with honour and dignity, it is next submitted that the informant is free to come whenever she wants to her matrimonial home, it is next submitted that, in the event, if the informant is not willing to come to her matrimonial home, then



the petitioner is ready to pay a monthly maintenance of Rs. 6,000/- for the upkeep of the children and the informant.

Learned counsel for the informant, on instructions, agrees to the offer given by the learned counsel for the petitioner, on instructions, on behalf of the petitioner.

Learned counsel for the informant submits that he will Whatsapp the bank account number of the informant to the learned counsel for the petitioner.

Learned counsel for the petitioner submits that he will forward the same to the petitioner on his Whatsapp and the maintenance amount would commence from January, 2023.

Learned counsel for the petitioner next submits that a maintenance case has also been filed by the informant, hence, the present maintenance would be subject to the maintenance decided by a Court of competent jurisdiction to which the learned counsel for the informant agrees.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Madhubani Mahila P.S. Case No. 58 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, in the event if the informant files an application before the learned Trial Court bringing to its notice that petitioner despite agreeing before this Court has not paid the maintenance amount consecutively for two months, then the learned Trial Court, after giving an opportunity of hearing to the petitioner, shall pass orders in accordance with law and shall also be entitled to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

HarshPandey/-

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